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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Chen et al.

Serial No.: 10/701,939

Filed: November 4, 2003

For: CONTROLLED RELEASE DEPOT

FORMULATIONS

Confirmation No.: 5013

Examiner: Unknown

Group Art Unit: 1615

Attorney Docket No.: ALZ5045R1

(3139-6269US)

CERTIFICATE OF MAILING

I hereby certify that this correspondence along with any attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail on the date of deposit shown below with sufficient postage and in an envelope addressed to the Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

September 23, 2004 Date

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In compliance with the duty to disclose information material to patentability pursuant to 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 or PTO/SB/08 be considered by the Examiner and made of record. Copies of U.S. patents are <u>not</u> being submitted pursuant to M.P.E.P. 609 III A(2). Copies of foreign patent documents and non-patent literature are enclosed pursuant to 37 C.F.R. § 1.98(a)(2).

In accordance with 37 C.F.R. § 1.97(g) and (h), filing of this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made or an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b). Further, no representation is made by Applicants herein that no other possible material information as defined in 37 C.F.R. § 1.56 (b) exists.

U.S. Patent Documents

U.S. Patent No.	Publication Date	<u>Patentee</u>
US - 4,443,340	04/17/1984	May et al.
US - 4,938,763	07/03/1990	Dunn et al.
US - 5,468,253	11/21/1995	Bezwada et al.
US - 5,639,851	06/17/1997	Bezwada et al.
US - 5,713,920	02/03/1998	Bezwada et al.
US - 5,714,551	02/03/1998	Bezwada et al.
US - 5,868,788	02/09/1999	Bezwada et al.
US - 6,113,624	09/05/2000	Bezwada et al.

Foreign Patent Documents

Document No.	Publication Date	<u>Patentee</u>
WO 93/24150 A	12/09/1993	Hutchinson
WO 95/13799 A	05/26/1995	Ramstack et al.
WO 00/74650 A	12/14/2000	Brodbeck et al.
WO 02/38185 A	05/16/2002	Dunn et al.
WO 02/067991 A	09/06/2002	Cleland et al.
WO 03/041684 A	05/22/2003	Chen et al.
WO 03/041685 A	05/22/2003	Chen et al.
WO 03/041757 A	05/22/2003	Chen et al.
WO 04/000269 A	12/31/2003	Chen et al.
WO 04/011054 A	02/05/2004	Chen et al.

Other Documents

RAVIVARAPU, et al., "Polymer and microsphere blending to alter the release of a peptide from PLGA microspheres," European Journal of Pharmaceutics and Biopharmaceutics, Elsevier Science Publishers B.V., Amsterdam, NL, Vol. 50, No. 2, Sept. 2000. International Search Report dated 18 May 2004 (9 pages).

Applicants offer to supply any explanation or discussion of the documents which the Examiner feels is necessary or desirable and which is requested.

This Supplemental Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits.

Respectfully submitted,

Edgar R. Cataxinos Registration No. 39,931

Attorney for Applicants

TRASKBRITT P.O. Box 2550

Salt Lake City, Utah 84110-2550

Telephone: 801-532-1922

Date: September 23, 2004

ERC/dlm:dn

Enclosures: Form PTO-1449 or PTO/SB/08

Copy of non-US documents cited

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Approved for use through 10/31/2002. OMB 0651-0031

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number. ute for form 1449A/PTO Complete if Known ORMATION DISCLOSURE **Application Number** 10/701,939 November 4, 2003 Filing Date TATEMENT BY APPLICANT First Named Inventor Chen et al. Group Art Unit 1615 (use as many sheets as necessary) Examiner Name Unknown ALZ5045R1 (3139-6269US) Sheet Attorney Docket Number

U.S. PATENT DOCUMENTS						
Evaminas	Cite	Document Number	Publication Date	Name of Patentee or Applicant of	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
Examiner Cite Initials • No.		Number - Kind Code ² (if known)	MM-DD-YYYY	Cited Document		
		US-4,443,340	04/17/1984	May et al.		
		US- 4,938,763	07/03/1990	Dunn et al.		
		US- 5,468,253	11/21/1995	Bezwada et al.		
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FOREIGN PATENT DOCUMENTS						
Examiner	Cite	Foreign Patent Document		Name of Patentee or	Pages, Columns, Lines,	
Initials* No.1	Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	T	
		WO 93/24150 A	12/09/1993	Hutchinson		
		WO 95/13799 A	05/26/1995	Ramstack et al.		
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		WO 02/38185 A	05/16/2002	Dunn et al.		
		WO 02/067991 A	09/06/2002	Cleland et al.		
		WO 03/041684 A	05/22/2003	Chen et al.		
		WO 03/041685 A	05/22/2003	Chen et al.		
		WO 03/041757 A	05/22/2003	Chen et al.		
		WO 04/000269 A	12/31/2003	Chen et al.		
	1	WO 04/011054 A	02/05/2004	Chen et al.		

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			CLOSURE	Filing Date	November 4, 2003	
STATEMENT BY APPLICANT				First Named Inventor	Chen et al.	
				Group Art Unit	1615	
(use as many sheets as necessary)			cessary)	Examiner Name	Unknown	
Sheet	2	of	2	Attorney Docket Number	ALZ5045R1 (3139-6269US)	

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		RAVIVARAPU, et al., "Polymer and microsphere blending to alter the release of a peptide from PLGA microspheres," European Journal of Pharmaceutics and Biopharmaceutics, Elsevier Science Publishers B.V., Amsterdam, NL, Vol. 50, No. 2, Sept. 2000.	
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